

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 COMMISSIONERS

3 MARC SPITZER, Chairman  
4 WILLIAM A. MUNDELL  
5 JEFF HATCH-MILLER  
6 MIKE GLEASON  
7 KRISTIN K. MAYES

8 IN THE MATTER OF THE APPLICATION OF  
9 ARIZONA PUBLIC SERVICE COMPANY FOR A  
10 HEARING TO DETERMINE THE FAIR VALUE  
11 OF THE UTILITY PROPERTY OF THE  
12 COMPANY FOR RATEMAKING PURPOSES, TO  
13 FIX A JUST AND REASONABLE RATE OF  
14 RETURN THEREON, TO APPROVE RATE  
15 SCHEDULES DESIGNED TO DEVELOP SUCH  
16 RETURN, AND FOR APPROVAL OF  
17 PURCHASED POWER CONTRACT.

DOCKET NO. E-01345A-03-0437

**PROCEDURAL ORDER**

11 **BY THE COMMISSION:**

12 On April 6, 2004, Arizona Corporation Commission Staff filed a Motion to Amend the Rate  
13 Case Procedural Order ("Motion"). On April 15, 2004, a procedural conference was held to hear  
14 argument/discussion on the Motion. The parties were in support of Staff's Motion, and also agreed  
15 that APS' request for an additional two weeks for filing rejoinder testimony was acceptable. The  
16 parties provided initial but limited discussion on the request for a temporary stay of the procedural  
17 schedule and discovery, and accordingly, additional argument on that request is appropriate.

18 IT IS THEREFORE ORDERED that any surrebuttal testimony and associated exhibits to be  
19 presented by the Staff or intervenors at the hearing shall be reduced to writing and filed on or before  
20 **noon on June 4, 2004.**

21 IT IS FURTHER ORDERED that any rejoinder testimony and associated exhibits to be  
22 presented at the hearing on behalf of APS shall be reduced to writing and filed on or before **noon on**  
23 **July 2, 2004.**

24 IT IS FURTHER ORDERED that a procedural conference to hear oral arguments on the  
25 Alliance's Motion and on the requested temporary stay of the procedural schedule and further  
26 discovery pending settlement discussions shall be held on April 28, 2004 beginning at 9:30 a.m. or as  
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1 soon thereafter as is practical, at the Commission's office, 1200 W. Washington Street, Phoenix,  
2 Arizona.<sup>1</sup>

3 IT IS FURTHER ORDERED that APS shall file its response to the Alliance Motion on or  
4 before April 22, 2004.

5 IT IS FURTHER ORDERED that the cut-off date for discovery is July 8, 2004.

6 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized  
7 Communications) continues to apply to this proceeding.

8 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive  
9 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

10 DATED this \_\_\_\_ day of April, 2004.

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LYN FARMER  
13 CHIEF ADMINISTRATIVE LAW JUDGE

14 Copies of the foregoing mailed/delivered  
15 this \_\_\_\_ day of April, 2004 to:

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